

PETER C. WOLFF, JR. #2332
Federal Public Defender
District of Hawaii

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Attorney for Defendant
ABRAHAM NGUYEN MARTIN

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) Cr. No. 04-00322 DAE
)
 Plaintiff,)
) MOTION TO STAY MITTIMUS
 vs.) UNTIL JULY 10, 2006;
) MEMORANDUM OF LAW;
 ABRAHAM NGUYEN MARTIN,) DECLARATION OF COUNSEL;
) EXHIBIT "A"; CERTIFICATE OF
 Defendant.) SERVICE
)

MOTION TO STAY MITTIMUS UNTIL JULY 10, 2006

COMES NOW the defendant, ABRAHAM NGUYEN MARTIN, through counsel, Alexander Silvert, First Assistant Federal Defender, and moves this Honorable Court to stay mittimus in the above-captioned matters until July 10,

2006. Mr. Martin is presently scheduled to begin serving his 70 month sentence on March 6, 2006.

This motion is based upon the attached memorandum of law and Exhibit "A." An evidentiary hearing on this motion is not requested. The defendant acknowledges and agrees that this Court may rule upon this motion without holding an in-court hearing if that is the Court's inclination.

DATED: Honolulu, Hawaii, February 3, 2006.

/s/ Alexander Silvert
ALEXANDER SILVERT
Attorney for Defendant
ABRAHAM NGUYEN MARTIN

CERTIFICATE OF SERVICE

CHRISTINA FULLER, hereby certifies that on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at the last known address on February 3, 2006:

Served Electronically through CM/ECF:

WILLIAM SHIPLEY
Assistant United States Attorney
Attorney for Plaintiff
UNITED STATES OF AMERICA

/s/ Christina Fuller
CHRISTINA FULLER
Legal Secretary to
ALEXANDER SILVERT
Attorney for Defendant
ABRAHAM NGUYEN MARTIN